RECEIVED
CENTRAL FAX CENTER

## **FACSIMILE TRANSMISSION**

AUG 2 6 2004

The information contained in this transmission is privileged and confidential. It is intended only for the use of the individual or entity named below. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are bereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited.

If you have received this communication in error, please notify Gen-Probe immediately by telephone and return the original message to us at the below-indicated address via regular U.S. mail. Thank you.

FROM:

Charles B. Cappellari Gen-Probe Incorporated 10210 Genetic Center Drive San Diego, California 92121

Phone No. (858) 410-8927 Facsimile No. (858) 410-8928 <u>TO:</u>

Examiner: Sisson, B.

Group 1634

**U.S. Patent & Trademark Office** 

Facsimile No. (703) 872-9306

Number of pages (including this cover page): 35

In re Patent Application of:		)	Group Art Unit: 1634					
MICHAEL M. BECKER		)	Examiner: Sisson, B.					
Serial No. 10/020,596		) )	Atty. Docket No. GP123-02.UT					
Filed:	December 7, 2001	)	Confirmation No. 6565					
Title:	METHOD FOR ENHANCING THE ASSOCIATION RATES OF POLYNUCLEOTIDES	) ) )	Date: August 26, 2004					

## Attached hereto are:

- 1. Transmittal Form, PTO/SB/21 (1 pg.);
- 2. Petition for Extension of Time, PTO/SB/22 in duplicate (2 pgs. total);
- 3. Fee Transmittal, PTO/SB/17 in duplicate (2 pgs. total); and
- 2. Reply Under 37 C.F.R. § 1.111 (29 pgs.)

## CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence (and any referred to as attached) is being sent by facsimile to 703-872-9306 on the date indicated below to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1350.

Date: August 26, 2004

Charles B. Cappellari Registration No. 40,937 Attorney for Applicant AUG-26-2004 11:35AM

PTO/SB/21 (02-04) Approved for use through 07/31/2006, OMB 0851-0031 U.S. Petert and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Pacework Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMS control number. Application Number 10/020.596 Filing Date TRANSMITTAL December 7, 2001 **FORM** First Named Inventor Michael M. Becker Art Unit (to be used for all correspondence after initial filing) 1834 Examiner Name Sisson, B. Attorney Docket Number 35 GP123-02.UT Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance communication | **~**| Fee Transmittal Form Drawing(s) to Technology Center (TC) Acceal Communication to Board 1 Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC V Petition Amendment/Reply (Appeal Notice, Brief, Reply Brief) Pétition to Convert to a Proprietary Information After Final Provisional Application Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please Terminal Disclaimer Extension of Time Request Identify below): Facsimile Cover Sheet Request for Refund Express Abandonment Request CD, Number of CD(s) Information Disclosure Statement Remarks Certified Copy of Priority Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Ckarles B. Cappellari Registration No. 40,93 Individual name Signature Date August 26, 2004 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Typed or printed name Chéries B. Cappellari August 26, 2004 Signature

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the Individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

P.005/035 F-742

PTO/SB/17 (10-03)
Approved for use through 07/31/2006. QMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid QMB control number.

EEE TOANGMITTA		Complete if Known							
FEE TRANSMITTA	┕│	Application Number 10/02				),596			
for FY 2004		Filing Date			Dec. 7,	Dec. 7, 2001			
Effective 1010112003. Patent fees are subject to annual revision.	First Named Inventor			or Michael	Michael M. Becker				
	Examiner Name			Sisson,	Sisson, B.				
Applicant claims small entity status. See 37 CFR 1.27	Art Unit			1634	1634				
TOTAL AMOUNT OF PAYMENT (\$) 420.00		Attorney Docket No.				GP123-02.UT			
METHOD OF PAYMENT (check all that apply)	FEE CALCULATION (continued)								
Check Credit card Money Other None	3. ADDITIONAL FEES								
Deposit Account:	Fee	Large Entity Small Entity  Fee Fee Fee Fee Fee Fee Description							
Deposit Account 07-0835	Cod	le (\$)	Code (	-			1	Fee Paid	
Number Deposit Co. Design to the second seco	105		2051 2052		iurcharge - late iurchame - late				
Account Name Gen-Probe Incorporated			cover sheet						
The Director is authorized to: (check all that apply)	1053	3 130 2 2,520	1053 1812 2.	_		English specification ling a request for ex parte reexamination			
Charge fee(s) indicated below Credit any overpayments  Charge any additional fee(s) or any underpayment of fee(s)	1804	,	1804	920° R	dequesting publ	esting publication of SIR prior to			
Charge (s) indicated below, except for the filing fee	180	5 1.B40*	1805 4		xaminer action Requesting pub		after		
to the above-identified deposit account.		·		Ε	xeminer action	)			
FEE CALCULATION	125°		2251	_	Extension for re Extension for re			420.00	
1. BASIC FILING FEE	125		2252 2253		Extension for re				
Large Entity Small Entity Fee Fee Fee Fee Description Fee Paid	I .	4 1,480	2254		Extension for re			,	
Code (\$) Code (\$) 1001 770 2001 385 Utility filing fee	125	5 2,010	2255		Extension for re				
1002 340 2002 170 Design filing fee	140	1 330	2401	165 N	Natice of Appea	3			
1003 530 2003 265 Plant filling fee	140	2 330	2402	165 F	Filing a brief in	support of an	appeal		
1004 770 2004 385 Reissue filing fee	140	3 290	2403	145 F	Request for ora	l hearing			
1005 160 2005 80 Provisional filing fee	145	-			Petition to institu	•			
SUBTOTAL (1) (\$)	145		2452			ion to revive - unavoidable			
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE		3 1,330 1 1,330	2453 2501			tion to revive - unintentional ly issue fee (or reissue)			
Fee from  Extra Claims below Fee Paid	150		2502		Design issue fe	· · · · · · · · · · · · · · · · · · ·			
Total Claims20~= X d	150	3 640	2503	320 I	Plant issue fee	it issue fee			
Claims Multiple Dependent	146		1460	130 F	Petitions to the	tions to the Commissioner			
Large Entity 1 Small Entity	180		1807		<u> </u>	cessing fee under 37 CFR 1.17(q) mission of Information Disclosure Stmt			
Fee Fee Fee <u>Fee Description</u>	180		1806		Submission of I Recording each				
Code (\$)   Code (\$) 1202 18   2202 9 Claims in excess of 20	802		8021	P	ocoberty (prues	unuper of but	opemes)		
1201 86 2201 43 Independent claims in excess of 3	180	9 770	2609		Filing a submis (37 CFR 1,129)		rejection		
1203 290 2203 145 Multiple dependent claim, if not paid	181	0 770	2810		For each additi		to be		
1204 86 2204 43 "Reissue Independent claims over original patent	180	1 770	2801		examined (37 C Request for Co		nination (RCE)		
1205 18 2205 9 "Reissue daims in excess of 20	180		1802	900	Request for ex	pedited exam		<del></del>	
and over original patent	OIP.	of a design application							
SUBTOTAL (2) (\$)		Paduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 420.00							
	-	(Complete (if applicable))							
Name (American) Charles B. Cappellan,			tion No.	40.9	37		858-410-8927	***************************************	
		(Attomey	Agenti	.5,5			Aug. 26, 2004		
Signature WARNING: Information on this form m	av be	come r	ublic (	Cradit	card inform	<del></del>			
he included on this form. Draufde ered									

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.